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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BECTON, DICKINSON AND COMPANY,
Plaintiff / Defendant-in-Counterclaim,
v.
CYTEK BIOSCIENCES INC., MING YAN,
ALFRED RILEY, DAVID VRANE,
ZHENYU ZHANG, ZHENXIANG GONG,
ALEX ZHONG, MARIA JAIMES, GIL
REININ, and JANELLE SHOOK,
Defendants / Plaintiff-in-Counterclaim.

C.A. No. 3:18-cv-00933-MMC
**[PROPOSED] ORDER GRANTING IN
PART UNOPPOSED ADMINISTRATIVE
MOTION TO SEAL PORTIONS OF
PLAINTIFF’S OPPOSITION TO
CYTEK’S MOTION TO DISMISS;
DIRECTIONS TO PLAINTIFF**

1 Plaintiff Becton, Dickinson and Company's ("BD") Unopposed Administrative Motion to
2 Seal Portions of BD's Opposition to Cytek's Motion to Dismiss (the "Opposition") was brought
3 before this Court. Upon consideration of the Administrative Motion and the supporting documents
4 submitted therewith, as well as the declaration of Wenbin Jiang, Ph. D., submitted by Cytek,
5 the Court finds compelling reasons to grant in part BD's request to file limited portions of its
6 Opposition and exhibits under seal. *See Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1179
7 (9th Cir. 2006). The Opposition and exhibits include "sealable material" as specified by Civil Local
8 Rule 79-5(b)—specifically, material Cytek has shown contains non-public and highly sensitive
9 information about draft technical documents that Cytek created in the course of its business. ~~The~~
10 ~~Court further finds that BD's proposed sealing is narrowly tailored to cover only sealable material.~~
11 Accordingly, under Civil Local Rule 79-5, the Court orders that the following documents, or portions
12 thereof, ~~be filed~~ shall remain under seal:

Document	Portions to be filed under seal
BD's Opposition to Cytek's Motion to Dismiss	Highlighted portions for redaction
Exhibits 1, 3, & 4 to the Declaration of David S. Chun in Support of Plaintiff's Opposition	Documents in its their entirety; redaction would be impractical.

17 With respect to BD's Opposition, the Administrative Motion is GRANTED, with the
18 exception of the following portions, as to which the Administrative Motion is DENIED: page
19 1, lines 16 through 17; page 1, line 23 (beginning with "This is exactly") through line 25; and
20 page 12, line 28.

21 With respect to Exhibit 2 to the Declaration of David S. Chun, the Administrative
22 Motion is DENIED.

23 BD is hereby DIRECTED to file in the public record, within seven days of the date of
24 this order, Exhibit 2 to the Declaration of David S. Chun and a revised redacted version of
25 its Opposition consistent with the above.

26 **IT IS SO ORDERED.**

27 Date: February 4, 2020

28 
Honorable Maxine M. Chesney
United States District Judge